

AN ORDINANCE

BY COUNCILMEMBER JIM MADDOX

AN ORDINANCE TO AMEND PART II OF THE CODE OF ORDINANCES, CHAPTER 10, ARTICLE II, SECTION 10-88.1 SO AS TO ALLOW A THREE PERCENT INCREASE IN GROSS RECEIPTS FOR BEER AND WINE SALES AT SUPERMARKETS AND PHARMACIES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in protecting the public safety and general welfare and is able to do so through the regulation of the sale of alcohol; and

WHEREAS, it is the stated purpose of the City's Alcohol Code to establish reasonable standards for the regulation and control of the licensing and sale of alcohol; and

WHEREAS, the City's Alcohol Code currently sets forth restrictions on the percentage of gross sales sale of beer and wine by establishments licensed for the sale of beer and wine by the package; and

WHEREAS, current provisions exempt from the distance requirements supermarkets or pharmacies which a) contain an interior floor area of 14,000 square feet or more; 2) in which no more than 5% of the interior floor area of such store is devoted to the display of beer and/or wine products; and 3) which derives less than 5% of its gross receipts from the sale of beer and wine.

WHEREAS, these restrictions place a burden on existing establishments, particularly supermarkets, whose percentage of gross annual alcohol sales may be less than 10%, but more than 5% in a given year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1.

That Section 10.88.1(a) (1)(iii) be amended by deleting the words "five percent (5%)" of its gross receipts and substituting in lieu thereof "eight percent (8%)" of its gross receipts.

Section 2.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.